

FILED IN CHAMBERS
U.S.D.C. - Atlanta

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SEP 22 2016

James M. Hatten, Clerk
By *AM Cawley*

MELVIN MARTIN,	:	
	:	
Movant	:	CRIMINAL ACTION FILE NO.
	:	1:08-CR-391-ODE-LTW
v.	:	
	:	CIVIL ACTION FILE NO.
UNITED STATES OF AMERICA,	:	1:16-CV-1571-ODE-LTW
	:	
Respondent	:	

ORDER

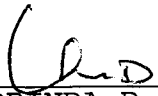
This criminal case is before the Court on the Final Report and Recommendation of United States Magistrate Judge Linda T. Walker filed May 23, 2016 ("R&R") [Doc. 75]. No objections have been filed.¹

In the R&R, Judge Walker recommends that Movant's § 2255 motion be denied because it is barred by the appeal waiver in Movant's plea agreement. Judge Walker also recommends that a certificate of appealability ("COA") be denied and that Civil Action Number 1:16-CV-1571-ODE-LTW be dismissed.

The Court having read and considered the R&R and noting the absence of any objections, it is hereby ADOPTED as the opinion and order of the Court. For the reasons set forth in the R&R, Movant's § 2255 motion [Doc. 73] is DENIED, Civil Action Number 1:16-CV-1571-ODE-LTW is DISMISSED, and a COA is DENIED.

¹The R&R was initially submitted to this Court for its consideration on June 16, 2016. Almost a month later, the Clerk received Movant's request for a 14-day extension of time to file objections to the R&R [Doc. 77]. On July 25, the Court granted Movant's request and gave him an additional 14 days from the date of entry of the Order (July 26) to file his objections [Doc. 78]. However, no objections were filed and the time in which to do so has passed.

SO ORDERED, this 22 day of September, 2016.



ORINDA D. EVANS
UNITED STATES DISTRICT JUDGE